

CITY COUNCIL

LAST MINUTE AGENDA INFORMATION

11/20/13 Regular Meeting

(Agenda Related Writings/Documents provided to a majority of the City Council after distribution of the Agenda Packet for the November 20, 2013 Regular meeting.)

| <u>ITEM NO.</u> | <u>DESCRIPTION</u> |
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| 3.1 | <p>ORDINANCE NO. 2013-1140 AND ADOPTION OF RESOLUTION NO. 2013-7410: THE CITY OF IMPERIAL BEACH: GENERAL PLAN AMENDMENT (GPA)/ LOCAL COASTAL PROGRAM AMENDMENT (LCPA) / AND ZONING CODE AMENDMENT (ZCA) 100057/ TO IMPLEMENT COASTAL COMMISSION MODIFICATIONS TO THE IMPERIAL BEACH COMMERCIAL LCPA PROJECT. MF 935. (0610-95)</p> <p>a. Corrected Resolution No. 2013-7410 b. Corrected Ordinance No. 2013-1140</p> |
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All new commercial and higher density residential development shall be located and designed to facilitate provision or extension of transit service to the development to the extent feasible. Residential, commercial, and recreational uses should be located in relationship to each other so as to encourage walking, bicycling, and transit ridership. Major employment, retail, and entertainment districts and major coastal recreational areas should be well served by public transit and easily accessible to pedestrians and bicyclists.

k. Employer Support of Transit

The City shall actively encourage convenient alternatives to automobile use throughout the Commercial Districts by requiring employers to provide incentives for alternative transit use such as providing employee transit passes or subsidies, ridesharing programs, preferred parking for carpooling and on-site shower facilities.

[Land Use Element, Table L-2 (Page L-8): Land Use Designations and Specifications]

C/MU-1 General Commercial and Mixed-Use (4 stories)

The General Commercial and Mixed-Use land use designation provides for commercial development, mixed-use development, multiple-family dwellings, and businesses to meet the local demand for commercial goods and services, as opposed to the goods and services required primarily by the tourist population. It is intended that the dominant type of commercial activity in the C/MU-1 designation will be community- and neighborhood-serving retail and office uses. Multi-family Residential uses may be permitted at a maximum density of 1 unit per every 1,000 sq. feet of land, per the City of Imperial Beach Zoning Ordinance. For all buildings with frontage along Palm Avenue between 7th Street and Florida Street, including those with multiple-family dwelling units, "active commercial uses" are required to be provided at a minimum of sixty percent of each building's ground floor square footage with direct pedestrian access from the Palm Avenue sidewalk or a plaza. The remaining 40% must either be primarily related to the commercial use, such as parking, access, or other nonactive commercial purpose or, if related to non-commercial use, must be designed either to encourage and promote pedestrian activity or to visually screen required on-site parking.

C/MU-2 Seacoast Commercial and Mixed-Use (3 stories, except for hotels, where 4 stories may be permitted by specific plan)

The C/MU-2 Seacoast Commercial land use designation provides for land to meet the demand for goods and services required primarily by the tourist population, as well as by local residents who use the beach area. It is intended that the dominant type of commercial activity in this designation will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. To promote a more pedestrian-oriented community character, as well as to reduce the high volume of vehicle trips attracted by drive-through establishments, drive-through services for restaurants, banks, dry cleaners, and other similar auto-related business establishments shall be prohibited in this zone. Per the City of Imperial Beach Zoning Ordinance, multi-family residential uses shall be permitted at a maximum density of 1 unit per every 1,500 gross sq. ft. of lot area; if located on the east side of Seacoast Drive or on Palm Avenue, east of Seacoast Drive, multi-family residential uses may be increased to a maximum density of 1 unit per every 1,210 gross sq. ft. of lot area, subject to the compliance with specified development incentives and the approval of a conditional use permit. Additionally, the Seacoast Mixed Use/Residential Overlay was established to provide for the future expansion of commercial uses allowed in the C/MU-2 designation while preserving opportunities for the

continuation of single-family residential uses within the overlay area. Mixed-use and multi-family residences are permitted in the C/MU-2 area, as well as in the Seacoast Mixed Use/Residential Overlay Zone.

Seacoast Mixed Use/Residential Overlay

The purpose of the Seacoast Mixed Use/Residential Overlay land use designation is to provide for preserving opportunities for the continuation of single-family residential uses, in the area bounded by Ocean Boulevard (the beach) to the west, Ocean Lane on the east, Imperial Beach Boulevard on the south, and Palm Avenue on the north. In this area, single-family land uses shall be permitted, in addition to all uses permitted within the C/MU-2 designation.

[Land Use Element] (Page L-9)

Policy L-4e Seacoast Commercial and Mixed-Use (C-MU-2)

The Seacoast Area shall serve as a commercial and mixed-use visitor-serving, pedestrian-oriented commercial area. Existing residential uses shall be slowly transitioned to new visitor serving commercial uses. To ensure that the existing character is maintained and enhanced, the zoning for this area shall incorporate standards for setbacks and stepbacks, and encourage pedestrian activity through the design and location of building frontages and parking provisions. For all buildings with frontage along Seacoast Drive, including those with multiple-family dwelling units, "active commercial uses" are required to be provided at a minimum sixty percent of each building's ground floor square footage and have direct pedestrian access from the Seacoast Drive sidewalk or a plaza. The remaining 40% must either be primarily related to the commercial use, such as parking, access, or other nonactive commercial purpose or, if related to non-commercial use, must be designed either to encourage and promote pedestrian activity or to visually screen required on-site parking. Per the City of Imperial Beach Zoning Ordinance, timeshares shall require approval of a conditional use permit and shall be prohibited on the first 1st floor, unless 25% are reserved for overnight accommodation.

SECTION 3: That this resolution shall only become effective upon the date the Coastal Commission concurs with the Executive Director's report of the City's acceptance of the suggested modifications and that the City Council's actions were legally adequate to satisfy the requirements of the Commission's certification order.

Appeal Process under the California Code of Civil Procedure (CCP): The time within which judicial review of a City Council decision must be sought is governed by Section 1094.6 of the CCP. A right to appeal a City Council decision is governed by CCP Section 1094.5 and Chapter 1.18 of the Imperial Beach Municipal Code.

PROTEST PROVISION: The 90-day period in which any party may file a protest, pursuant to Government Code Section 66020, of the fees, dedications or exactions imposed on this development project begins on the date of the final decision.

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Chapter 19.23, including those requiring a conditional use permit, and shall also comply with the following land use regulations:

1. For all buildings with frontage along Palm Avenue between 7th Street and Florida Street, including those with multiple-family dwelling units, "active commercial uses" as defined in Chapter 19.05 are required to be provided at a minimum of sixty percent of each building's ground floor square footage, have direct pedestrian access from the Palm Avenue sidewalk or a plaza, and have a minimum building depth of twenty-five feet. ~~Exceptions would require approval of a conditional use permit. The remaining 40% must either be primarily related to the commercial use, such as parking, access, or other non-active commercial purpose or, if related to non-commercial use, must be designed either to encourage and promote pedestrian activity or to visually screen required on-site parking.~~

[Chapter 19.27. C/MU-2 SEACOAST COMMERCIAL AND MIXED-USE ZONE]

19.27.010. Purpose of zone.

The purpose of the C/MU-2 zone is to provide land to meet the demand for goods and services required primarily by the tourist population, as well as local residents who use the beach area. It is intended that the dominant type of commercial activity in the C/MU-2 zone will be visitor-serving retail such as specialty stores, surf shops, restaurants, and hotels and motels. ~~Additionally, the Seacoast Residential Overlay Zone has been established to preserve opportunities for single-family residences within the overlay area.~~ Mixed-use and multiple family residences are also permitted in the C/MU-2 zone and in the Seacoast Mixed Use/Residential Overlay Zone. The development standards of the C/MU-2 zone encourage pedestrian activity through the design and location of building frontages and parking provisions.

19.27.020. Permitted uses.

A. Specified commercial, residential, light industrial, public and semi-public, green building utilities, and open space and recreation uses allowed in the C/MU-2 zone are listed in Chapter 19.23, including those requiring a conditional use permit, and shall also comply with the following land use regulations:

1. For all buildings with frontage along Seacoast Drive, including those with multiple-family dwelling units, "active commercial uses" as defined in Chapter 19.04 are required to be provided at a minimum sixty percent of each building's ground floor square footage and have direct pedestrian access from the Seacoast Drive sidewalk or a plaza. ~~Exceptions would require approval of a conditional use permit. The remaining 40% must either be primarily related to the commercial use, such as parking, access, or other non-active commercial purpose or, if related to non-commercial use, must be designed either to encourage and promote pedestrian activity or to visually screen required on-site parking.~~

[...]

5. Multiple-family residential dwelling units are permitted at a maximum density of one unit per every one thousand five hundred gross square feet of lot area; or if located on ~~Palm Avenue and the east side of Seacoast Drive~~ or Palm Avenue, east of Seacoast Drive, residential dwelling units may be increased to a maximum density of one dwelling unit for each one thousand two hundred and ten gross square feet of lot area with approval of a conditional use permit by the City Council that demonstrates compliance with two or more of the following development incentives:

Date: 11/20/13 Item No. 3.1
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